

# **CHAPTER 51**

## **NEW SOURCE REQUIREMENTS; NONATTAINMENT AREAS**

FOR REFERENCE ONLY - DO NOT CITE

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v. August 2010

401 KAR 51:001. Definitions and abbreviations of terms used in  
401 KAR Chapter 51.

CURRENT STATUS: Federally Enforceable Regulation  
Approved to Kentucky SIP

### HISTORY

<b><u>KY Effective Date</u></b>	<b><u>Submitted to EPA</u></b>	<b><u>Federal Register Publication</u></b>
JUN 24, 1992	OCT 20, 1992	59 FR 32343, JUN 23, 1994 FR Effective: AUG 22, 1994 Conditional Approval
APR 06, 1995	JAN 27, 1995 Submitted for Parallel Processing Final Submittal - May 04, 1995	60 FR 31087, JUN 13, 1995 FR Effective: JUL 28, 1995 Full Approval
JUN 06, 1996	JUN 19, 1996	62 FR 2915, JAN 21, 1997 FR Effective: MAR 24, 1997
APR 14, 1999	JUN 09, 1999	No notice published
AUG 15, 2001	JAN 31, 2002	67 FR 17624, APR 11, 2002 FR Effective: JUN 10, 2002
DEC 18, 2002	FEB 28, 2003	68 FR 37418, JUN 24, 2003 FR Effective: JUL 24, 2003
JUL 14, 2004	SEP 02, 2004	71 FR 38990, JUL 11, 2006 FR Effective: Aug 10, 2006
NOV 08, 2006	DEC 14, 2006	72 FR 52282, SEP 13, 2007 FR Effective: NOV 13, 2007
FEB 5, 2010	FEB 22, 2010	

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v. August 2010

401 KAR 51:005. Purpose and general provisions.

CURRENT STATUS: Federally Enforceable Regulation  
Approved to Kentucky SIP

### HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 06, 1979	JUN 29, 1979	45 FR 6092, JAN 25, 1980 47 FR 30059, JUL 12, 1982 FR Effective: SEP 10, 1982

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v. August 2010

401 KAR 51:010. Attainment status designations.

CURRENT STATUS: Federally Enforceable Regulation  
Approved to Kentucky SIP

### HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
NREPC Letter	MAR 09, 1979	44 FR 63104, NOV 02, 1979
JUN 06, 1979	JUN 29, 1979	45 FR 6092, JAN 25, 1980 45 FR 84999, DEC 24, 1980
DEC 03, 1980	DEC 30, 1980	46 FR 46929, SEP 23, 1981
APR 04, 1981	APR 28, 1981	47 FR 23163, MAY 27, 1982
SEP 22, 1982	NOV 18, 1982 DEC 01, 1982	48 FR 5727, FEB 08, 1983 48 FR 28988, JUN 24, 1983
	JUN 24, 1987 (NREPC Letter to 40 CFR 81.318)	54 FR 8322, FEB 28, 1989 FR Effective: MAY 01, 1989
APR 14, 1988	JUL 07, 1988	55 FR 4169, FEB 07, 1990 FR Effective: APR 09, 1990
NOV 15, 1990		56 FR 56763, NOV 6, 1991 Jefferson Co. CO Redesignation
FEB 08, 1993	FEB 17, 1993	59 FR 32343, JUN 23, 1994 FR Effective AUG 22, 1994
NOV 12, 1997	DEC 19, 1997	63 FR 39739, JUL 24, 1998 FR Effective SEP 22, 1998

NOTE: Muhlenberg County was redesignated attainment for the secondary SO<sub>2</sub> standard in 63 FR 44143 (August 18, 1998)

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v. August 2010

401 KAR 51:015. Prevention of significant deterioration of ambient air quality.

CURRENT STATUS: Repealed by 401 KAR 51:016E (September 11, 1980)

### HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 06, 1979	JUN 29, 1979	

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v. August 2010

401 KAR 51:016E. Prevention of significant deterioration.

CURRENT STATUS: Expired Emergency Regulation (April 15, 1982)  
Repealed 401 KAR 51:015 (September 11, 1980)  
Replaced by 401 KAR 51:017E (April 16, 1982)

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v. August 2010

401 KAR 51:017E. Prevention of significant deterioration of air quality.

CURRENT STATUS: Replaced 401 KAR 51:016E (April 16, 1982)  
Replaced by 401 KAR 51:017 (September 22, 1982)

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v. August 2010

401 KAR 51:017. Prevention of significant deterioration of air quality.

CURRENT STATUS: Federally Enforceable Regulation  
Approved to Kentucky SIP  
Replaced 401 KAR 51:017E

### HISTORY

<b><u>KY Effective Date</u></b>	<b><u>Submitted to EPA</u></b>	<b><u>Federal Register Publication</u></b>
APR 16, 1982 401 KAR 51:017E Emergency Regulation Replacing 51:016E	MAR 19, 1982 Request for Parallel Processing	
SEP 22, 1982	OCT 21, 1982	47 FR 56882, DEC 21, 1982 Proposed Approval
FEB 04, 1986	FEB 20, 1986	54 FR 36307, SEP 01, 1989 FR Effective: OCT 02, 1989 No action taken on Section 20 55 FR 23547, JUN 11, 1990 (EPA Clarification)
DEC 02, 1986	DEC 29, 1986	54 FR 48887, NOV 28, 1989 FR Effective: JAN 29, 1990
DEC 11, 1987	FEB 09, 1988	54 FR 46612, NOV 06, 1989 FR Effective: JAN 05, 1990
APR 14, 1988	JUL 07, 1988	55 FR 4169, FEB 07, 1990 FR Effective: APR 09, 1990
JUN 24, 1992	OCT 20, 1992	59 FR 32343, JUN 23, 1994 FR Effective: AUG 22, 1994
MAR 12, 1997	MAR 21, 1997	63 FR 39741, JUL 24, 1998 FR Effective: SEP 22, 1998
JUL 14, 2004	SEP 02, 2004 (request amended AUG 23, 2005)	71 FR 38990, JUL 11, 2006 FR Effective: AUG 10, 2006
FEB 5, 2010	FEB 22, 2010	

**NOTE:**

EPA directly issued federal PSD permits to all new PSD sources in KY between 1974 and 1980. EPA delegated to Kentucky authority to implement and enforce all portions of the PSD program on May 19, 1980 (47 FR 56883, December 21, 1982).

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v. August 2010



401 KAR 51:050. Requirements for stationary sources; constructing in or impacting upon non-attainment areas.

CURRENT STATUS: Repealed by 401 KAR 51:051E (September 11, 1980)

HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
JUN 06, 1979	JUN 29, 1979	45 FR 6092, JAN 25, 1980 Conditional Approval

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v. August 2010

401 KAR 51:051E            New Source review for non-attainment purposes.

CURRENT STATUS:        Expired Emergency Regulation (April 15, 1982)  
                              Repealed 401 51:050 (September 11, 1980)  
                              401 KAR 51:051 Withdrawn (November 14, 1980)  
                              Replaced by 401 KAR 51:052E (April 16, 1982)

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v. August 2010

401 KAR 51:052E      Review of new sources in or impacting upon  
non-attainment areas.

CURRENT STATUS:      Replaced 401 KAR 51:051E (April 16, 1982)  
Replaced by 401 KAR 51:052 (September 22, 1982)

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v. August 2010

401 KAR 51:052. Review of new sources in or impacting upon nonattainment areas.

CURRENT STATUS: Replaced Emergency Regulation (401 KAR 51:052E)  
Federally Enforceable Regulation  
Approved to Kentucky SIP

### HISTORY

<b><u>KY Effective Date</u></b>	<b><u>Submitted to EPA</u></b>	<b><u>Federal Register Publication</u></b>
APR 16, 1982 401 KAR 51:052E	MAR 19, 1982	None
SEP 22, 1982	DEC 09, 1982	None
FEB 04, 1986	FEB 04, 1986	
DEC 11, 1987	FEB 09, 1988 Withdrawn, JUL 29, 1988	54 FR 46612, NOV 06, 1989 Disapproval of revisions
APR 14, 1988	JUL 07, 1988	55 FR 4169, FEB 07, 1990 Deficient, subject to revision
FEB 08, 1993	FEB 17, 1993	59 FR 32343, JUN 23, 1994 FR Effective: AUG 22, 1994
JUL 14, 2004	SEP 02, 2004 (request amended AUG 23, 2005)	71 FR 38990, JUL 11, 2006
FEB 5, 2010	FEB 22, 2010	

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v. August 2010

Repealed by 401 KAR 51:056 (July 17, 2000)

[illegible]

Some emissions trading actions apply as source specific revisions to the SIP, as listed in 40 C.F.R. 52.920(d).

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## HISTORY

[illegible]

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v. August 2010

CURRENT STATUS: Federally Enforceable  
Implements the Federal NOx SIP Call  
Approved to Kentucky SIP

[illegible]

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v. August 2010

401 KAR 51:170. NOx requirements for cement kilns.

CURRENT STATUS: Federally Enforceable  
Implements the Federal NO<sub>x</sub> SIP Call  
Approved to Kentucky SIP

## HISTORY

[illegible]

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v. August 2010



401 KAR 51:180. NOx credits for early reduction and emergency.

CURRENT STATUS: Federally Enforceable  
Implements the Federal NO<sub>x</sub> SIP Call  
Approved to Kentucky SIP

## HISTORY

[illegible]

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v. August 2010

401 KAR 51:190. Banking and trading NOx allowances.

CURRENT STATUS: Federally Enforceable  
Implements the Federal NO<sub>x</sub> SIP Call  
Approved to Kentucky SIP

## HISTORY

[illegible]

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v. August 2010

401 KAR 51:195. NOx opt-in provisions.

CURRENT STATUS: Federally Enforceable  
Implements the Federal NOx SIP Call  
Approved to Kentucky SIP

## HISTORY

[illegible]

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v. August, 2010

401 KAR 51:200. Regional NOx emission requirements.

CURRENT STATUS: Required to be Federally Enforceable  
 Repealed by 401 KAR 51:201 (March 18, 2002)

### HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
AUG 15, 2001		
MAR 18, 2002 Repealed (Repealed after KY utilities became subject to the more stringent requirements of the NOX SIP Call)		

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v. August, 2010

401 KAR 51:210. CAIR NO<sub>x</sub> annual trading program.

CURRENT STATUS: Federally Enforceable  
 Implements Clean Air Interstate Rule (CAIR)  
 Approved to Kentucky SIP

### HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
FEB 02, 2007	JUL 19, 2007	72 FR 56623, OCT 04, 2007 (Direct Final Rule)

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v. August, 2010

401 KAR 51:220. CAIR NOx ozone season trading program.

CURRENT STATUS: Federally Enforceable  
Implements Clean Air Interstate Rule (CAIR)  
Approved to Kentucky SIP

#### HISTORY

<u>KY Effective Date</u>	<u>Submitted to EPA</u>	<u>Federal Register Publication</u>
FEB 02, 2007		
JUN 13, 2007	JUL 19, 2007	72 FR 56623, OCT 04, 2007 (Direct Final Rule)

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v. August, 2010

401 KAR 51:230. CAIR SO<sub>2</sub> trading program.

CURRENT STATUS: Federally Enforceable  
 Implements Clean Air Interstate Rule (CAIR)  
 Approved to Kentucky SIP

### HISTORY

<b><u>KY Effective Date</u></b>	<b><u>Submitted to EPA</u></b>	<b><u>Federal Register Publication</u></b>
FEB 02, 2007	JUL 19, 2007	72 FR 56623, OCT 04, 2007 (Direct Final Rule)

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v. August, 2010